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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Atty. Docket No. 100564-07029

ENDL et al.

RECEIVED

Serial Number: 08/981,824

Group Art Unit: 1644

AUG 08 2002

Filed: September 18, 1998

Examiner: G. Ewoldt

TECH CENTER 1600/2900

For: AUTOREACTIVE PEPTIDES FROM HUMAN GLUTAMIC ACID
DECARBOXYLASE (GAD)

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

August 7, 2002

Sir:

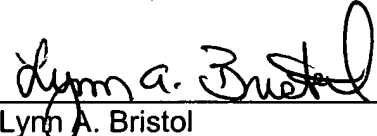
This Response is being filed in response to the Restriction Requirement of May 7, 2002 for the above-referenced application, making the response due on or before August 7, 2002.

Applicants traverse the Examiner's lack of unity objection to the claims over U.S. 5,475,086 (Tobin) for the reason that Tobin is silent with respect to the partial peptide sequences disclosed in the subject application. Furthermore, there exists among all of the claims a common inventive concept. This common inventive concept is that for all of the claimed sequences, the sequences consist of the T cell epitopes commonly recognized by the human immune system. These T cell epitopes were not known in the field of art before Applicants' priority date for the subject application. Accordingly, Applicants are entitled to a rejoinder of the claims for these reasons.

In the event the Examiner does not rejoin any of the claims, Applicants elect Claims 1-3, 5 and 18 of Group VII of the 28 separate inventive groups for prosecution. Claims 1-3, 5 and 18 refer to peptides or peptide derivatives of SEQ ID NO: 7.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 under Client Matter No. 100564-07029.

Respectfully submitted,



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